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UNCLAS SECTION 01 OF 02 NICOSIA 001208

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FOR U/S BURNS, U/S FORE, AND A/S HARTY FROM AMBASSADOR

E.O. 12958: N/A

TAGS: [PREL](#) [PINS](#) [AEMR](#) [MARR](#) [CASC](#) [LE](#) [CY](#)

SUBJECT: TFLE01: THE EVACUATION CRISIS IS NOT YET OVER:
URGENT NEED FOR A WAY FORWARD IN CYPRUS

REF: NICOSIA 1195 AND PREVIOUS

11. THIS IS AN ACTION REQUEST -- SEE PARAGRAPH 10.

12. (SBU) SUMMARY. With civilian outflow from Lebanon slowing, Post is facing a looming crisis involving the approximately 250 or so people who remain in the Cyprus International Fairgrounds because one or more members of their families cannot be documented for onward travel to the US. Post has received DHS TDY assistance and has expedited the procedures for requesting humanitarian parole from DHS. Nonetheless, parole approvals take time and our DHS TDYer has identified at least ten families with members who have serious ineligibilities that would likely prevent them from ever obtaining parole. This number is likely to grow as more evacuees trickle in and are processed. All assisted arrivals are currently being housed at the Fairgrounds in Nicosia at open-ended USG expense with medical support from CTF-59. Those with Cypriot visas (required of Lebanese) are facing the imminent expiration of their allowed five-day stay. The Government of Cyprus, already overwhelmed by tens of thousands of third country civilians fleeing Lebanon, is certain to react angrily when it realizes we have left those ineligible to enter the United States, including convicted criminals and drug dealers, on their shores; the GOC has already clamped down on undocumented arrivals at its seaports and airports -- and its ability to retaliate by restricting further assisted departure operations and/or operational support missions for Embassy Beirut -- cannot be ignored.

13. (SBU) Post requests that the Department urgently/urgently consult with DHS on a procedure whereby Post would inform undocumented family members that they may board a charter flight to the United States with the explicit understanding that at the Port of Entry they would be put into detention until either DHS could resolve their status or until it was safe to return them to Lebanon. Undocumented family members would make their own choice as to whether to submit to detention or travel elsewhere. This method would also allow families to travel to the United States together, thus preventing accusations that the U.S. government is "forcing" U.S. citizens back into a war zone, and allow DHS to conduct more in-depth security checks on these arrivals. END SUMMARY.

14. (SBU) With the largest outflow from Lebanon apparently behind us, Embassy Nicosia and our military colleagues have been able to clear most of the backlog of those arriving from Lebanon. Assuming outgoing airlift capacity continues to match or exceed the inflow of civilians arriving by sea and air, Post does not anticipate a repeat of the situation earlier in the NEO, when as many as three thousand people

were sheltered at the Fairgrounds. We are pleased and proud to have helped over 13,000 of our compatriots get out of harm's way and back home. As the tide has receded, however, a smaller -- but much more problematic -- group of arrivals remains behind. We do not have the authority to solve all their problems by ourselves, and thus need Washington's urgent help.

¶5. (SBU) Currently some 250 people are at the Fairgrounds because the lack of proper documentation or uncertainties about their immigration status prevent them from proceeding immediately to the United States -- and more such cases continue to arrive each day. Post has been able to adjudicate many of these cases quickly; when it is simply a matter of replacing passports, documenting LPRs or reissuing those with expired visas, our consuls have been able to move such people expeditiously to outbound flights.

¶6. (SBU) However, in cases where a DHS decision on humanitarian parole is required, the process has been much slower. DHS has provided TDY help and expedited the processing. But each parole decision must still be approved at the Assistant Secretary level. As of July 27, several people whom we believe are likely candidates for eventual parole have spent as many as six nights in the Fairgrounds shelter at USG expense -- with no end in sight. American citizen family members are reluctant to leave their undocumented kin. Patience is beginning to wear thin among those at the Fairgrounds; a violent altercation was only narrowly averted on July 25, frustration continues to grow, and the situation is often tense.

¶7. (SBU) To make matters worse, there are 25 or so

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individuals with Class One ineligibilities (including convicted rapists, drug dealers and deportees), who are unlikely candidates for parole. These individuals, sometimes with family members who are U.S. citizens or otherwise eligible to go to the U.S. in tow, pose two serious difficulties.

¶8. (SBU) First, there is the immediate question of safety and order. It is our sense that some of these individuals were behind the rumors, grumbling, and discontent that led to the near-brawl on July 25. We are even more gravely concerned, however, about the threat posed by those with criminal backgrounds who are housed in the same facility as unaccompanied minors, single mothers, and other vulnerable people. Post is actively exploring alternative accommodations, such as hotels, to segregate out those with criminal histories in the short term, as we work to expedite the onward travel of those who are qualified. We are ill-equipped to provide personal, 24-hour protection at the Fairgrounds facility which, after all, is not -- and should not resemble -- a camp, rather than an emergency shelter.

¶9. (SBU) Cases who are unlikely to qualify for parole into the U.S. pose a second, longer-term difficulty: what do we do with them? The U.S. government cannot lodge them indefinitely in Cyprus, either in hotels or at the Fairgrounds. Nor can we opt for "refoulement" by sending them back into the country we just helped them flee. The Government of Cyprus has made it clear that foreign governments are responsible for onward transit of any third country nationals that they have brought into Cyprus. The GOC understandably would react strongly and negatively if they believed we were not fulfilling this responsibility, and could easily retaliate by withholding future cooperation in assisted departure efforts or other vital missions, like a renewed Beirut air or sea bridge. Cutting ineligible cases loose here is not an option.

¶10. (SBU) Post therefore requests that the Department:

a) Consult with DHS to establish immediately a procedure

whereby Post would inform undocumented family members that they may board a charter flight to the United States with the explicit understanding that at the Port of Entry they would be put into detention until either DHS could resolve their status or until it was safe to return them to Lebanon. Undocumented family members would make their own choice as to whether to submit to detention or travel elsewhere. This method would also allow families to travel to the United States together and allow DHS to conduct more in-depth security checks on these arrivals.

b) While option a) is under discussion, urge DHS to expedite the processing of cases using the current parole procedure and provide guidance on how we should handle those who will not qualify for parole.

¶11. Our assisted departure efforts from Lebanon so far have been a major success for all concerned. However, unless we quickly resolve the issues outlined above, the U.S. government runs the risk of our success being undermined and replaced with serious diplomatic and public relations problems.

¶12. We request guidance on these issues as soon as possible.
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